

## **THE RIGHTS OF VICTIM'S FAMILY SHOULD BE EQUAL TO THE RIGHTS OF THE PRISONERS.**

My name is John Cotaling and I am the father of James Cotaling who was viciously slain by two youths. One was 19 and the other just 16 years old. The 16 year old happened to be a female and in my opinion was the driving force in a plan which resulted in Jimmy's murder. It was decided through hearings, and based on the nature of the crime that she should be tried and sentenced as an adult.

That was in accordance with the laws relative to her age and her participation in the crime. At the end she was found guilty and received 3 sentences of LIFE IN PRISON WITH NO CHANCE FOR PAROLE. She also received an additional sentence of 45 years. We were told she would never have a chance to be released . We were told that it was not necessary for us to register to be notified when and if she ever had raised an appeal or was granted a parole hearing.

**WE FINALLY HAD CLOSURE AND WE COULD PUT ALL THIS BEHIND US.**

Little did we know that with in weeks of imprisonment she had requested and was granted a hearing to appeal her sentence. We had put it behind us and felt the State of Michigan was taking care of this situation. We were told by the County Prosecutor that this would never happen and we believed it. We felt that what that the judge handed down as a sentence was how it would be.....WE WERE WRONG.

Since that first hearing there were many others. They were all requested in an attempt to reverse the sentence and have the prisoner released. About 3 years ago we found out about the activities and also the about the state legislation that was being considered. We have followed both with due diligence.

The result of the many appeals granted was the removal on one of the life sentences. The latest appeal was at the federal court level and was denied. As of this date the prisoner has exhausted all her possible avenues for appeal with the exception of the U. S. Supreme Court.

Only by mistake did we discover what was going on. As the law stands now we would never be informed and we would know if she had been successful in her appeals or if somehow she had gained her release.

**WE WOULD NEVER KNOW.**

Not only would we not know but more importantly we would have had no input or representation in the entire hearing process.

**WE ARE VICTIMS AND WE ARE BEING COMPLETELY DISREGARDED.**

**IF HOUSE BILLS 4518, 4594, 4595, 4596 ARE PASSED THERE WOULD BE  
HUNDREDS OF FAMILIES / VICTIMS WRONGED.**

THEY WOULD HAVE NO REPRESENTATION IN THE MATTER. THEY WOULD NEVER KNOW THAT THEIR LOVED ONES MURDER HAD BEEN RELEASED.

My daughter has been quite involved with the State Judicial Department as well as the Oakland County Prosecutor's office and has monitored and had input to the sequence of the latest appeals. In defense of the State of Michigan and the Oakland County Prosecutors office there is now has only one more avenue of appeal. The system has worked to this point

HAD SHE WON ANY OF HER APPEALS SHE COULD HAVE BEEN RELEASED AND FOR US TO REVERSE THAT VERDICT WOULD JUST BE IMPOSSIBLE .

THE PRISONER GETS MULTIPLE HEARING.....WE GET NONE.

THE STATE LEGISLATION IS CURRENT CONSIDERING BILLS THAT WOULD:

1. DISREGARD THE GUILTY VERDICT OF THE JURY.
2. QUESTION THE PROSECUTORS DECISION TO BRING PROPER CHARGES.
3. QUESTIONING THE JUDGES ABILITY TO APPLY THE PROPER SENTENCE.
4. ATTEMPTING TO TURN OVER THE ABOVE DECISIONS BY LEGISLATION.
5. DISREGARDING THE RIGHTS OF THE SURVIVING VICTIMS.
6. VIOLATING THE STATE AND FEDERAL CONSTITUTIONS.

### **THE SYSTEM NEEDS TO BE AMMENDED.**

1. IT SHOULD BE MADE MANDATORY FOR ALL VICTIMS TO BE ADVISED OF THEIR RIGHTS AND THE NECESSITY TO REGISTER FOR NOTIFICATION OF ANY AND ALL APPEALS.
2. LEGISLATION SHOULD BE ENACTED THAT WOULD NOT ALLOW FOR ANY HEARINGS AND / OR APPEALS TO BE HELD WITHOUT REPRESENTATION BY THE REGISTERED VICTIMS.

3. ANY LEGISLATION WHICH WILL ALTER THE SENTENCE OF PRISONERS CURRENTLY INCARERATED SHOULD BE CONDUCTED WITH REPRESENTATIVES FROM A ORGANIZED VICTIMS RIGHTS ORGANIZATION PRESENT.
4. ANY LEGISTATION THAT CHANGES SENTENCING GUIDELINES IN ANY WAY SHOULD NOT BE APPLIED TO ANY PRISONERS SENTENCED PROIR TO THE SAID LEGISLATION.
5. ANY LEGISLATION THAT PROVIDES FOR EARLY RELEASE OF PRISONERS IN AN ATTEMPT TO REDUCE PRISON COST SHOULD BE VIEWED AS THE SELLING OF OUR SAFTEY AND THE LOWERING OUR JUDICIAL STANDARDS.
6. ANY ATTEMPT TO SATISFY THE OFFENDERS RIGHTS WITHOUT GIVING COMPLETE CONSIDERATION TO THE VICTIMS RIGHTS IS COMPLETELY INEXCUSIBLE AND WOULD ALSO BE IN VIOLATION OF MOST STATE CONSTITUTIONS.
7. PRIOR TO ANY RELEASE THE SENTENCING JUDGE OR PRESIDING PROSECUTORS OFFICE SHOULD BE CONSULTED. THE FACTS OF THE CASE AS RECORDED AT TRIAL SHOULD BE PRESENTED.

John Cotaling

Surviving victim